

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - SE/S Philadelphia Road opposite Ridge Road (8777 Philadelphia Road) 15th Election District - 6th Councilmanic District Charles Evering VFW Post 6506 - Petitioners

* BEFORE THE * ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 91-8-SPHXA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve existing and proposed parking in the M.L.-I.M. zone and to determine that parking may be calculated separately for office, storage and community building uses all within one tenant use building in lieu of the required "singleness of use" pursuant to Section 409.6A of the Baltimore County Zoning Regulations (B.C.Z.R.); a special exception to permit an existing community building on the subject property; and variances to permit a front yard setback of 22 feet in lieu of the required 80.5 feet for an existing building and to permit 249 spaces in lieu of the required 271 spaces, pursuant to Section 409.6A of the B.C.Z.R., all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Thomas C. Rye, Commander, appeared, testified and were represented by S. Eric DiNenna, Esquire. Also appearing on behalf of the Petitions were Belton N. Sutphin, Frank L. Kozan, Sr., Henderson S. Willing, John A. Harrison, Jr., Henry J. Kahler, Lester A. Rule, and Dick R. Griffin. There were no Protestants.

Testimony indicated that the subject property, known as 8777 Philadelphia Road, consists of 3.59 acres more or less, split zoned B.R.-C.N.S., B.L. and M.L.-I.M., and is improved with a one story building containing 11,561 sq.ft. Said property is the site of the Charles Evering

Veterans of Foreign Wars (VFW) Post 6506 which has existed on the property since approximately 1946. Petitioners are desirous of constructing a 1,953 sq.ft. addition to the existing building to provide more space for its growing membership. Testimony proffered by Petitioners' Counsel indicated that the majority of the relief requested is for existing uses and that the parking variance is necessitated by the proposed addition. Petitioners requested that the required number of parking spaces for the office, storage and community building uses be calculated separately in lieu of the single use requirement, pursuant to Section 409.6A., as only 249 parking spaces can be provided. Petitioners contend the parking currently provided as well as that proposed sufficiently supports the existing uses and will easily accommodate the proposed addition. Testimony indicated that the use proposed meets the requirements of Sections 307 and 502.1 of the B.C.Z.R. and will not result in any detriment to the health, safety or general welfare of the surrounding uses, which are commercial in nature.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing for parking in the M.L. zone were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In the opinion of the Zoning Commissioner, the existing and proposed parking uses in the M.L. zoned portion of the subject property will not be detrimental to the public health, safety, and general welfare and should therefore be permitted. As for calculating the required number of parking spaces, it is the opinion of the Zoning Commissioner that the

- 2 -

existing building and the proposed addition should be treated as one use and as such, all of the parking should be calculated in accordance with Section 409.6A of the B.C.Z.R.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

- 3 -

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special exception and variance should be granted in full and the relief requested in the special hearing granted in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of September, 1990 that the Petition for Special Hearing to approve existing and proposed parking in the M.L.-I.M. zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an existing community building on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a front yard setback of 22 feet in lieu of the required 80.5 feet for an existing building and the proposed addition, and to permit 249 spaces in lieu of the required 271 spaces, pursuant to Section 409.6A of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

- 4 -

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 2) The parking variance granted herein is limited to the existing community building and proposed addition set forth in Petitioner's Exhibit 1. In the event any future expansion of the current use is proposed, the Petitioners will be required to provide the required number of parking spaces in accordance with the zoning regulations in effect at that time; however, the parking variance granted herein may be used to calculate the required parking for any future expansion as it applies to the current uses and facilities.

IT IS FURTHER ORDERED that the Petition for Special Hearing to determine that parking may be calculated separately for office, storage and community building uses all within one tenant use building in lieu of the required "singleness of use" pursuant to Section 409.6A of the B.C.Z.R. be and is hereby DENIED.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

September 12, 1990

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
SE/S Philadelphia Road opposite Ridge Road
(8777 Philadelphia Road)
15th Election District - 6th Councilmanic District
Charles Evering VFW Post No. 6506, Inc. - Petitioners
Case No. 91-8-SPHXA

Dear Mr. DiNenna:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in full and the Petition for Special Hearing granted in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-8-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve existing and proposed parking in the M.L.-I.M. zone which served the existing VFW use; to determine that parking may be calculated separately for office, storage and community building within one (1) tenant use building in lieu of "singleness of use" requests per sec. 409.6A. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

S. Eric DiNenna

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

Legal Owner(s):

Charles Evering, Post VFW No. 6506, Inc.

(Type or Print Name)

By: *Thomas C. Rye*

Signature

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

Name

409 Washington Ave., Suite 600

Towson, Maryland 21204

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13 day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of August, 1990, at 2:30 o'clock P.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING 1/2 HR. (over)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: MCF DATE

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-8-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a Community Building for civil, social, recreational and educational activities (VFW).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

S. Eric DiNenna

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 296-6820

Legal Owner(s):

Charles Evering, Post VFW No. 6506, Inc.

(Type or Print Name)

By: *Thomas C. Rye*

Signature

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

S. Eric DiNenna

Name

409 Washington Ave., Suite 600

Towson, Maryland 21204

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 13 day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of August, 1990, at 2:30 o'clock P.M.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING 1/2 HR. (over)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: MCF DATE

412
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-8-SPHYA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 303.2 to permit existing front yard set back of 22 ft. in lieu of required 80.5 ft. and an alternate variance from section 409.6A to permit 249 spaces (including M.L. property or 155 spaces in the B.L. zoned area either in lieu of required 271 spaces. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Existing use and proposed use;
2. Allowed use for parking in M.L. zoned property;
3. Shape and location of property;
4. Such further and other reasons to be given at time of hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Charles Evering, Post VFW No. 6506, Inc.
(Type or Print Name)
Signature: [Signature]
Address: [Address]
City and State: [City and State]

Attorney for Petitioner: S. Eric DiNenna
(Type or Print Name)
Signature: [Signature]
Address: 409 Washington Ave., Suite 600
Towson, Maryland 21204
City and State: Towson, Maryland 21204
Attorney's Telephone No.: 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of September, 1990, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

412
Paul Lee P.E.
Paul Lee Engineering Inc.
308 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

91-8-SPHYA

DESCRIPTION
8777 PHILADELPHIA ROAD
CHARLES EVERING POST 6506
FIFTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point along the south side of Philadelphia Road (Md. Route 87), said point also being located 58 feet ± northeasterly from the center of Ridge Road; thence leaving said south side of Philadelphia Road, (1) S 40°23'45" E 200 feet, (2) N 50°02'15" E 250.75 feet, (3) S 41°11'10" E 153.81 feet, (4) S 43°25'57" W 337.88 feet, (5) N 69°15'00" W 144.64 feet, (6) S 44°58'13" W 214.41 feet, and (7) N 45°01'48" W 286.54 feet to the south side of Philadelphia Road, thence binding on the south side of Philadelphia Road, (8) N 50°02'15" E 389.73 feet to the point of beginning.

Containing 3.59 acres of land, more or less.

Engineers - Surveyors - Site Planners 4/10/90

412
Paul Lee P.E.
Paul Lee Engineering Inc.
308 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

91-8-SPHYA

DESCRIPTION
SPECIAL EXCEPTION
8777 PHILADELPHIA ROAD
CHARLES EVERING POST 6506
FIFTEENTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point along the south side of Philadelphia Road (Md. Route 87), said point also being located 58 feet ± northeasterly from the center of Ridge Road; thence leaving said south side of Philadelphia Road, (1) S 40°23'45" E 200 feet, (2) N 50°02'15" E 250.75 feet, (3) S 41°11'10" E 153.81 feet, (4) S 43°25'57" W 337.88 feet, (5) N 69°15'00" W 144.64 feet, (6) S 44°58'13" W 214.41 feet, and (7) N 45°01'48" W 286.54 feet to the south side of Philadelphia Road, thence binding on the south side of Philadelphia Road, (8) N 50°02'15" E 389.73 feet to the point of beginning.

Containing 3.59 acres of land, more or less.

Saving and excepting 0.21 acre of land zoned "BR-CNS" and 1.44 acres of land zoned "ML-1M".

Engineers - Surveyors - Site Planners 4/10/90

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 2557

receipt

Date: 5/21/90 H9000412

PUBLIC HEARING FEES	QTY	PRICE
020 -ZONING VARIANCE (OTHER)	1	
040 -SPECIAL HEARING (OTHER)	1	
050 -SPECIAL EXCEPTION	1	
070 -SUM OF ABOVE FEES (MAXIMUM)		\$450.00
TOTAL:		\$450.00

LAST NAME OF OWNER: CHARLES EVERING

0 B 043*****45000: 3228F

Please make checks payable to: Baltimore County

Cashier Validation:

91-8-SPHYA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1524 Date of Posting: 8/19/90

Posted for: Special Hearing - Special Exception - Variance

Petitioner: Charles Evering, Post VFW No. 6506, Inc.

Location of property: 8777 Phila. Rd., 15th Election Dist.

Location of Sign: 8777 Phila. Rd., 15th Election Dist.

Remarks: [Signature]

Posted by: [Signature] Date of return: 8/24/90

Number of Signs: 5

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Law of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petitions for Special Hearing, Special Exception and Zoning Variance
Case Number: 91-8-SPHYA
8777 Philadelphia Road, 15th Election District
Petitioner(s): Charles Evering, Post VFW No. 6506, Inc.
Hearing: Friday, September 7, 1990 at 9:30 a.m.

Special Hearing: Existing and proposed parking in the M.L. zone which served the existing VFW use; to determine that parking may be calculated separately for office, storage and community building within one (1) tenant use building in lieu of "singleness of use".

Special Exception: A Community Building for civil, social, recreational and educational activities (VFW).

Variance: to permit 249 spaces (including M.L. property or 155 spaces in the B.L. zoned area) in lieu of required 271 spaces.

It is the intent of this petition that the building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

and returned to the office by the date of the hearing.

RECEIVED
Zoning Commissioner
Baltimore County
August 2, 1990

County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 3355

91-8

9/07/90 H9100187

PUBLIC HEARING FEES	QTY	PRICE
080 -POSTING SIGNS / ADVERTISING	1 X	\$187.65
TOTAL:		\$187.65

LAST NAME OF OWNER: CHARLES EVERING

040480057M1CHRC
BA 000718AM09-07-90 \$187

Please make checks payable to: Baltimore County

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Charles Evering, Post VFW No. 6506, Inc.
8777 Philadelphia Road
Rosedale, Maryland 21237

Re: Petitions for Special Hearing, Special Exception and Zoning Variance
CASE NUMBER: 91-8-SPHYA
SE/S Philadelphia Road, opposite Ridge Road
8777 Philadelphia Road
15th Election District - 8th Councilmanic
Petitioner(s): Charles Evering, Post VFW No. 6506, Inc.
HEARING: FRIDAY, SEPTEMBER 7, 1990 at 9:30 a.m.

Gentlemen:

Please be advised that \$187.65 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

cc: S. Eric DiNenna, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 12, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petitions for Special Hearing, Special Exception and Zoning Variance
CASE NUMBER: 91-8-SPHYA
SE/S Philadelphia Road, opposite Ridge Road
8777 Philadelphia Road
15th Election District - 8th Councilmanic
Petitioner(s): Charles Evering, Post VFW No. 6506, Inc.
HEARING: FRIDAY, SEPTEMBER 7, 1990 at 9:30 a.m.

Special Hearings: Existing and proposed parking in the M.L.-L.M. zone which served the existing VFW use; to determine that parking may be calculated separately for office, storage and community building within one (1) tenant use building in lieu of "singleness of use".

Special Exception: A Community Building for civil, social, recreational and educational activities (VFW).

Variance: to permit existing front yard setback of 22 ft. in lieu of the required 80.5 ft. and an alternate variance to permit 249 spaces (including M.L. property or 155 spaces in the B.L. zoned area either in lieu of required 271 spaces).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Charles Evering, Post VFW No. 6506, Inc.
S. Eric DiNenna, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 24, 1990

S. Eric DiNenna, Esquire
409 Washington Avenue, Suite 600
Towson, MD 21204

Dennis F. Rasmussen
County Executive

RE: Item No. 412, Case No. 91-8-SPHYA
Petitioner: Charles Evering Post
Petition for Special Hearing and
Special Exception and Variance

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Thomas C. Rye
Charles Evering, Post VFW 6506, Inc.
8777 Philadelphia Road
Rosedale, MD 21237

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3363
J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this
13th day of June, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Rasmussen
James E. Rasmussen
Zoning Plans Advisory Committee

Petitioner: Charles Evering, Post VFW No. 6506, et al
Petitioner's Attorney: S. Eric DiNenna



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

June 18, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Charles Evering
V.F.W. Post
Zoning Meeting of 6-12-90
S/S Philadelphia Road
(MD 7) Opposite Ridge Rd.
(Item #412)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a special exception for a community building for civil, social, recreational and educational activities, we find the plan acceptable with all highway improvements having been made.

If you have any questions, please contact Larry Brocato of this office at 333-1350.

Very truly yours,

Charles Rose
Charles Rose, Acting Chief
Engineering Access Permits
Division

LB:maw

cc: Paul Lee Engineering, Inc.
Mr. J. Ogle

RECEIVED
JUN 21 1990
ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 545-0431 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Robert Haines, Zoning Commissioner Date: July 11, 1990
FROM: Mr. Donald C. Outen
SUBJECT: Zoning Item #460

This Bureau has reviewed Zoning Item #460 and has no concerns with the proposed zoning variance. However, it should be reiterated that a wetland mitigation plan must be approved by the Environmental Impact Review Section, of this Bureau, before any grading/sediment control plans will be approved.

Donald C. Outen
Donald C. Outen, A.I.C.P.
Bureau Chief
Water Quality & Resource Management

DCO:GS:ep

RECEIVED
JUL 13 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner DATE: July 12, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Charles Evering, VFW Post No. 6506, Inc., Item No. 412

The Petitioner requests a Variance to permit an existing front yard setback of 22 ft. in lieu of the required 80.5 ft. and an alternate variance to permit 249 spaces; and a Special Hearing to approve existing and proposed parking in the M.L.-I.M. zone which serves the existing VFW use and to determine that parking may be calculated separately for office, storage, and community building within one tenant use building.

Staff recommends approval of the Petitioner's request, subject to the following conditions:

- The Petitioner shall file a final landscape plan with the Office of Planning and Zoning.
- All temporary banners and signs, with the exception of flags, shall not be permitted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(801) 887-4500
Paul H. Reinke
Chief

JUNE 4, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CHARLES EVERING, POST V.F.W.
#6506, INC.

Location: #8777 PHILADELPHIA ROAD
Item No.: 412 Zoning Agenda: JUNE 12, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 8 & 9

REVIEWER: *John Kelly* 6-5-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(801) 887-3364

June 6, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 355, 395, 408, 409, 410, 411, 412, 413, 414, 416, 417, 418, and 421.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

RECEIVED
JUN 13 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 14, 1990
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for June 12, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 355, 408, 409, 410, 411, 412, 414, 416, 417, 418 and 421.

For Item 395, the side yard as shown on the plat is 34.7 feet. The variance requested to 37 feet would not be adequate.

For Item 413, the previous County Review Group comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3383
J. Robert Haines
Zoning Commissioner

May 11, 1990

Mr. Eric DiNenna
DiNenna, Mann & Breschi
Suite 600
409 Washington Avenue
Towson, Maryland 21204

RE: Petition Filing
Charles Evering, VFW
Philadelphia Road
15th Election District

Dear Mr. DiNenna:

I am in receipt of your letter of May 3, 1990. As you are aware, this matter needs to move forward as quickly as possible. As confirmed by you, this appointment is rescheduled to Tuesday, May 15, 1990 at 10:00 a.m. with W. Carl Richards.

If you have any questions, please call this office at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

cc: W. Carl Richards
File

Dennis F. Rasmussen
County Executive

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3383
J. Robert Haines
Zoning Commissioner

Provisional Approval
Permit No. B039609

LOCATION: Philadelphia Rd

DATE: 5/16/90

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following Conditions: (Please check appropriate box(es))

- ☐ Owner has filed for a public hearing, Item # 6772
- ☒ Owner must file for a public hearing 6/14/90 before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations.
- ☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within 30 days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above-referenced permit.

However, in the event that all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

I have read the above statement and I agree to abide by the decision of the Zoning Commissioner in this matter.

W. Carl Richards
Zoning Office Staff

Signed Thomas Rye
Owner/Contract Purchaser

(Please print clearly)

Name Thomas Rye for VFW 6506
Address 1724 Philadelphia Rd 8777 Philadelphia Rd
Work Phone 877-1806 21237
Home Phone 887-2236

Dennis F. Rasmussen
County Executive

DiNENNA AND BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
GEORGE A. BRESCHI, P.A.

FRANCIS X. BORGERDING, JR.
ALSO MEMBER OF DISTRICT OF
COLUMBIA BAR

SUITE 600
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820
TELEFAX (301) 296-6884

July 23, 1991

The Honorable Arnold Jablon
Director
Office of Zoning Administration &
Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Charles Evering, VFW
Philadelphia Road

Dear Mr. Jablon:

This is to confirm our conversation wherein we discussed the above-captioned matter and the expansion of the structures on the subject property.

Please refer to Case No. 91-8-SPHXA.

As you can see, pursuant to the plan attached hereto, the VFW wishes to expand their premises a total of 20.7% of that which was granted in Case No. 91-8-SPHXA.

It is my understanding from my client that there will be no further or future expansions without the necessity of a public hearing and that this anticipated expansion is only necessary for nonpublic use, namely for office use, storage, etc.

As you can see from the subject plan, pursuant to the restrictions contained in Commissioner Haines' Order, sufficient parking is being provided for the additions and per the parking variance granted therein.

The purpose of this letter is to request that the expansion of the use be permitted so long as it is less than 25% of the square footage of the use permitted by the Special Exception. If you are in agreement, would you be so kind as to sign a copy of this letter attached hereto and make a part hereof approving the expansion of the VFW Hall subject to the other permits that may be necessary.

Thank you for your cooperation.

Very truly yours,

S. ERIC DiNENNA

SRD:cjc/cc: Charles Evering VFW c/o Thomas Rye

I have read and agree with the above and hereby approve the expansion of the VFW Hall as subject to other permits that may be necessary.

Arnold Jablon, Director

DiNENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

GERALDINE A. KLAUBER
FRANCIS X. BORGERDING, JR.

SUITE 600
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820
TELEFAX (301) 296-6884

June 27, 1990

J. Robert Haines
Zoning Commissioner for
Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Charles Evering, VFW No. 6506, Inc.
Item No. 412

Dear Mr. Commissioner:

On or about May 21, 1990, a Petition was filed with reference to the above-captioned matter.

Would you be so kind as to advise me of when the hearing date will take place concerning the VFW's Petition.

Thank you for your cooperation.

Very truly yours,

Eric DiNenna
S. ERIC DiNENNA

SED:cjc

cc: VFW
c/o Mr. Thomas Rye

RECEIVED
JUN 29 1990
ZONING OFFICE

DiNENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

GERALDINE A. KLAUBER
FRANCIS X. BORGERDING, JR.

May 3, 1990

P.O. BOX 10508
TOWSON, MARYLAND 21285-0508

SUITE 600
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820
TELEFAX (301) 296-6884

J. Robert Haines
Zoning Commissioner for
Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: My Client: Charles Evering, VFW
Location: Philadelphia Road
Permit Application No. B039609

Dear Mr. Commissioner:

Please refer to the previous correspondence and meetings we had concerning the above-captioned matter.

This is to advise you that a meeting has been set with your staff for Wednesday, June 6, 1990 at 2:00 p.m. to file the Petition and Variance accompanying documentation with reference to our request.

Thank you for your cooperation.

Very truly yours,

Eric DiNenna
S. ERIC DiNENNA

SED:cjc

cc: Mr. Paul Lee
Mr. Thomas Rye

RECEIVED
MAY 6 1990
ZONING OFFICE

DiNENNA, MANN & BRESCHI
ATTORNEYS AT LAW

S. ERIC DiNENNA, P.A.
JAMES L. MANN, JR., P.A.
GEORGE A. BRESCHI, P.A.

GERALDINE A. KLAUBER
FRANCIS X. BORGERDING, JR.

March 15, 1990

P.O. BOX 10508
TOWSON, MARYLAND 21285-0508

SUITE 600
MERCANTILE TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(301) 296-6820
TELEFAX (301) 296-6884

J. Robert Haines
Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

RE: My Client: Charles Evering, VFW
Permit Application No. B039609
Control No. C2258-89

Dear Mr. Commissioner:

This is to confirm our conversation and meeting wherein you have agreed to allow the release of Permit No. B039609 for the expansion of the VFW Post 6506, located at 8777 Philadelphia Road, so long as the VFW Post submits a Petition for Special Exception by April 11, 1989.

As you are aware, this Post is nonconforming and has been in existence for many years and is the fourth largest VFW Post in the United States. This coming summer the Maryland VFW will host a National Convention and my client, will be hosting many dignitaries and visiting officers of the National VFW during this convention.

Attached herewith please find the Provisional Approval Application signed by the Officer of my client.

I appreciate your cooperation.

Very truly yours,

Eric DiNenna
S. ERIC DiNENNA

SED:cjc

Enclosure

cc: Mr. Charles Evering

VFW VETERANS OF FOREIGN WARS OF THE UNITED STATES

"THE ALL AMERICAN POST"
CHARLES EVERING VFW POST 6506 INC.
8777 Philadelphia Road
Baltimore, Maryland 21237

March 12, 1990

J. Robert Haines
Zoning Commissioner
Baltimore County
County Office Building
111 W. Chesapeake Ave.,
Towson, Maryland 21204

Re: Zoning Exception Request

Appellant: Charles Evering Post #6506
Veterans of Foreign Wars of the United States
8777 Old Philadelphia Road
Baltimore, Maryland 21237

Dear Mr. Haines:

In the matter of this request, we feel it important to provide you with all of the information that we consider pertinent to enable you to give this matter proper consideration.

Our Post is, by far, the largest in the State of Maryland. We are the Fourth largest Post out of over 10,000 VFW Posts that constitute the 2,100,000 members of the Veterans of Foreign Wars of the United States.

Currently our membership is approaching 2,700 members, and our Auxiliary has 650 members. At the end of 1987, we had a membership of 2,088 members. Thus in a little over two years we have had a growth of over 600 members, in spite of deaths, transfers, and dropouts.

Because of the continued growth in our area of Baltimore County, we have every reason, after forty-six years of continuous membership growth, to expect our membership will continue to grow.

Obviously, it is our obligation to provide services and facilities to accommodate this increase in membership. This then is the very reason for our zoning request.

You should be aware that Article 1 of the Constitution of the Veterans of Foreign Wars of the United States -- a copy of which is enclosed -- clearly states that the objects of the Veterans of Foreign Wars are: "Fraternal, Patriotic, Historical and Educational..."

J. Robert Haines
Page Two

We feel it is of great importance, as well as a source of personal pride, that our entire Post operation, from the Post Commander, through all of the Officers, and Post Home managers, as well as all working Post members are all operating strictly as un-paid volunteers. The only persons who are paid are those who serve in our Canteen facility.

Our Post provides a great deal of support for community activities: from children's parties and events, Boys Scouts, Girl Scouts, Little League, Recreation Council, and support of Senior Citizen activities. All of the above on a regular, throughout the year basis.

We also work with the Police and Fire Departments in their programs and presentations for community safety, as well as recognizing both the Outstanding Policeman and Fireman of the Year with recognition awards, including cash presentations in public ceremonies, each and every year.

In addition, we work with the schools in their programs, by Americanism projects, and with our annual Voice of Democracy Scholarship program that provide grants to attend college to the winners in a nationwide contest. We present American flags to deserving organizations upon request.

Our Post serves as a meeting place for many organizations and functions. Among these are the Rossville Democratic Club with hundreds of members -- a very active group dedicated to better government by keeping the residents of the area aware of governmental activities, as well as providing a forum for candidates for office -- regardless of party affiliation.

Our Post home hall is donated 52 weeks a year, on Tuesdays, to the Golden Age Club (Senior Citizens). Thus we are provided by Baltimore County at a high rate of expense.

We donate the use of our parking lot with over 125 spaces for an area Park and Ride facility from Monday to Friday every week. Again saving the County many thousands of dollars to purchase land, build the parking lot, pay to pave and paint it, and then to maintain it. Incidentally we had to repave this parking lot at a cost of \$85,000 in 1989.

You can appreciate the value of this lot when you consider that the American Legion in Towson collects \$40,000 a year from the C & P Telephone Company for use of its parking lot; while the Parkville VFW Post collects \$15,000 a year for allowing the Post Office Department to park on part of its lot.

An addendum to this letter, we are proving you with a partial-- I repeat, partial-- list of our participation in community projects, together with their value. We hasten to point out that this list does not reflect the host of other community projects undertaken annually by our very active Ladies Auxiliary.

91-8-SPHXA

412

Another, and most important reason for our request is because for the very first time in the 102 year history of the Veterans of Foreign Wars of the United States, the annual convention of the organization and its Auxiliary, together with the annual convention of the Military Order of the Cootie, and its Auxiliary will be held in Baltimore during the third week in August of 1990.

This event will bring approximately 33,000 delegates and members of these organizations to the city of Baltimore and to Baltimore county -- since the city cannot possibly accommodate this tremendous influx of visitors.

It is usual for these delegates to visit the various VFW Posts in the area. Since Baltimore City has only a couple of small VFW Post homes, the vast majority of visitations will take place in Baltimore County. Since we are the largest Post in the state, we can expect the heaviest amount of these visits.

Naturally, we hope to have our expansion and modification improvements completed in time to accommodate this situation.

Time being of the essence, we have already put our project out for bids with a number of contractors. And we have selected a contractor to do the work.

Consequently, any delay in getting started could result in either increased costs, an inability to complete the work in time, or even the loss of the contractor -- which would wreck any possibility of completion by the time of the convention.

For the reasons contained herein, we ask that you give early consideration to our request for an exception to zoning regulations.

Failure to receive this exception will work a distinct hardship on the Post, its membership, on eligible veterans, our ability to improve out community activity projects, and the Veterans of Foreign Wars in general.

In behalf of the Officers and almost 2,700 members of our Post and the members of our Auxiliary, I thank you for your attention and consideration. Should you desire further information relative to this request, please contact me.

Sincerely Yours,

Thomas C. Rye
Post Commander

Enclosures:

Article 1, Constitution of the Veterans of Foreign Wars of the United States. Partial List, Addendum of Activities of Charles Evering Post, #6506, V. F. W.

91-8-SPHXA

ADDENDUM

412

Delivery of 50 pounds of shrimp to the White Marsh station of the Baltimore County Police Department on New Years Eve. An appreciation gift. Its value: \$350.

\$1,000 Donation to the White Marsh Police station for non budgeted items to be purchased. August, 1989.

\$500 Donation to the Rosedale Fire Department. October, 1989.

\$500 Donation to the Cowenton Fire Department. October, 1989.

Hall donated for use of the Golden Age Club of Rossville. (Senior Citizens) 52 weeks a year on Tuesdays at no charge. This is a community service that normally could be expected to be provided by Baltimore County. Value: \$5,200.

Donation of the use of 125 parking spaces on our Post parking lot, every week. Monday through Friday for Park and Ride service for area residents. If the county had to provide this service they would have to purchase the land at a premium in this area, then hire a contractor to pave the lot, then have the lot lined for parking places, then maintain it by having it policed, and repaired when needed. Estimated yearly value to be \$25,000.

\$1,500 Donation to Rosedale Recreation Council, supporting youth baseball, soccer, softball, Little League, and other athletic activities. January 1990.

\$5,500 Donation to the Mentally Retarded and Physically Handicapped Fund. This donation made in February 1990.

\$2,000 Donation to the Cerebral Palsy Fund. January 1990.

\$1,500 Donation to the Johns Hopkins Children's Cancer Foundation. November 1989.

\$500 Donation to the Muscular Dystrophy Fund. September 1989.

\$250 Cash award to the Baltimore County Policeman of the Year. 1989.

\$250 Cash award to the Baltimore County Fireman of the year. 1989.

\$1,000 Donation to the Baltimore County Crime Stoppers fund. 1989.

\$200 Donation to the little girl needing the bone marrow transplant. 1989.

\$500 Donation to the Rosedale Boy Scout Troop. 1989.

\$500 Donation to the American Lung Association. 1990.

\$2,000 for the annual Christmas party for all of the children in the Rosedale, Rossville, and White Marsh areas. December 1989.

Over \$5,000 Donated for veterans in the Veterans Administration Hospitals in the area, with emphasis on Loch Raven V.A. hospital.

It should be noted that the majority of these donations we anticipate will be repeated again this year. Hopefully with the approval of our zoning request we will be able to increase them.

91-8-SPHXA

Charles Evering Post # 6506
C-1015-89 Signed by 412

2000 but not issued
52 ft over 25% expansion

New point 1237 13514 (13,514 x 20 = 270,280)
Parking Required 13514 (13,514 x 20 = 270,280)

BUILDING & PARKING AREA CALCULATIONS
Orig. Building Area, prior to
Tax Map Addition 9,822 sf
Tax Map Addition 1,114 sf
Proposed Addition 3,479 sf
Total area to be furnished 2,000
Net proposed Addition 1,993 sf
Total Addition 2,507 sf
Area permitted for Addition 2,459 sf
52 sf excess

TOTAL of Existing Bldg & Addition 12,329 sf
1 space provided per 50 sf of gross Bldg Area.
Existing areas are for storage only
Parking Space Required 12,329 sf ÷ 50 = 247 spaces
Parking Spaces Provided:
Existing 173
New 79
New, 12' x 20' 5
257 Spaces provided

9822 13514 - Gross Bldg Area 1990
2507 12329
12329 1185
52 ft over 25%
6534609
C-2258-89

91-8-SPHXA

VETERANS OF FOREIGN WARS OF THE UNITED STATES

"THE ALL AMERICAN POST"
CHARLES EVERING V.F.W. POST 6506 INC.
8777 Philadelphia Road
Baltimore, Maryland 21237

February 13, 1990

Mr. J. Robert Haines, Zoning Commissioner
Baltimore County Office Building
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

RE: Permit No. B 039609
Control No. C 2258-89
VFW Post 6506
8777 Philadelphia Road
Election Dist 15

Dear Mr. Haines:

In accord with Mr. Carl Richards instructions at our meeting in his office the afternoon of 9 February, we submit the following data relative to the subject permit application.

A Veterans of Foreign Wars Post home is a structure used to serve the needs and benevolent endeavors of the local organizing veteran fraternity. This, the governing body, is composed of veterans of the armed forces of the United States of America that have given good and honorable service in their branch of service during the various periods of armed combat in battle theatres in foreign lands and have been honorably discharged from said service.

The building or property of this post is intended or designed for the service of or use by the community at large. Entrance to the property is restricted and controlled. The Post, however, in its civic action and benevolent programs does frequently allow community groups the use of certain of the facilities but only after approval of said use by the executive committee. The fees received from any rentals of facilities for private use become a part of the non profit structure of the Post and are applied to defraying operating expenses or applied to the many veterans service projects and/or local various health and disease eradication fund drives. We are totally self sustaining, receiving no community, county or state funds. This is truly the fraternal Post home of this group of 2,600 members; the largest Post in the state and second largest in the nation, and not an open community building.

The chronology of the Post property, its building program and site development are as follows:

91-8-SPHXA

RECEIVED FEB 15 1990

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bellman, John
Frank L. Haines
Henderson, William
John A. Harrison Jr.
Henry J. Haines
Lester A. Rule
THOMAS C. RYE
DICK R. GRIFFIN

1301 ROSEWICK AVE 21237
1218 SPRING AVE 21237
9416 RIDGELY AVE 21234
2109 Oak Lodge Rd 21238
5707 CANTHIA TERR 21206
3704 PRINCEPS AVE 21220
1724 TROTTERS CT 21084
905 CHESAPE AVE 21237

(CONGRESSIONAL CHARTER)

412

AN ACT 91-8-SPHXA

To Incorporate the Veterans of Foreign Wars of the United States

(Public--No. 630--74th Congress)
(H.R. 11454)

(May 28, 1906, Chapter 471, Sections 1 to 10,
49 Stat. 1590, 1591)

(U.S.C.A. Title 36, Chapter 7A,
Sections 111 to 120)

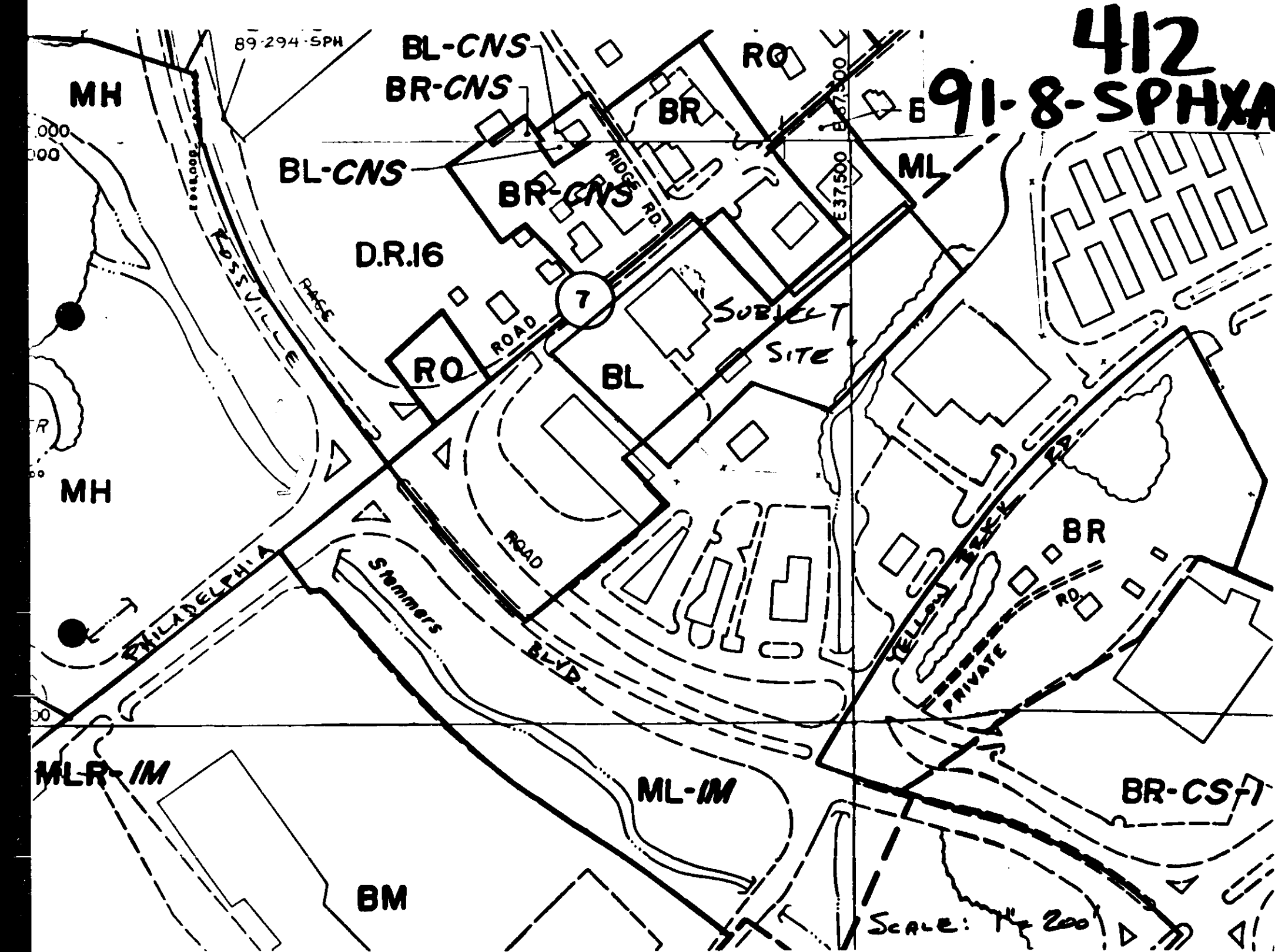
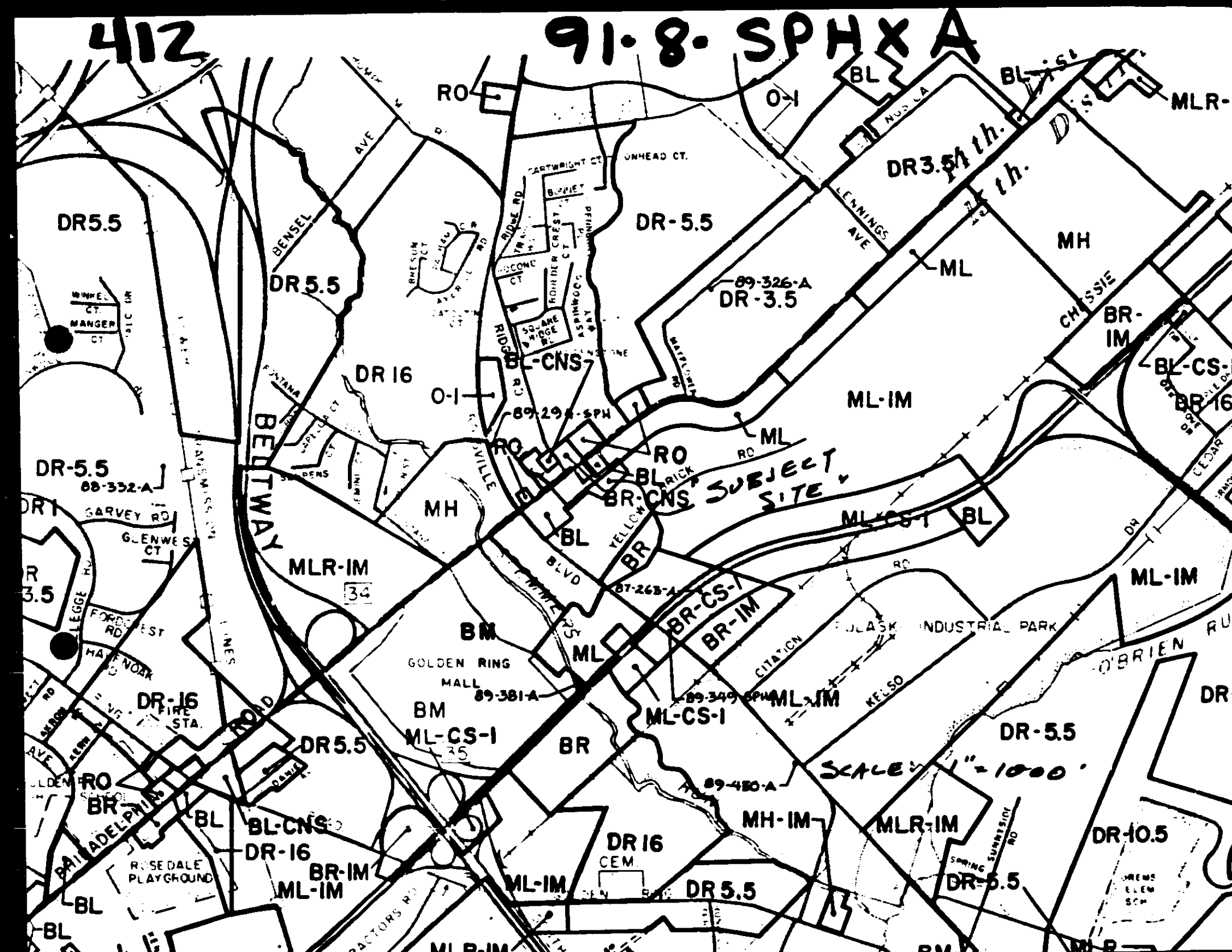
(Amended 83rd Congress, May 29, 1953)

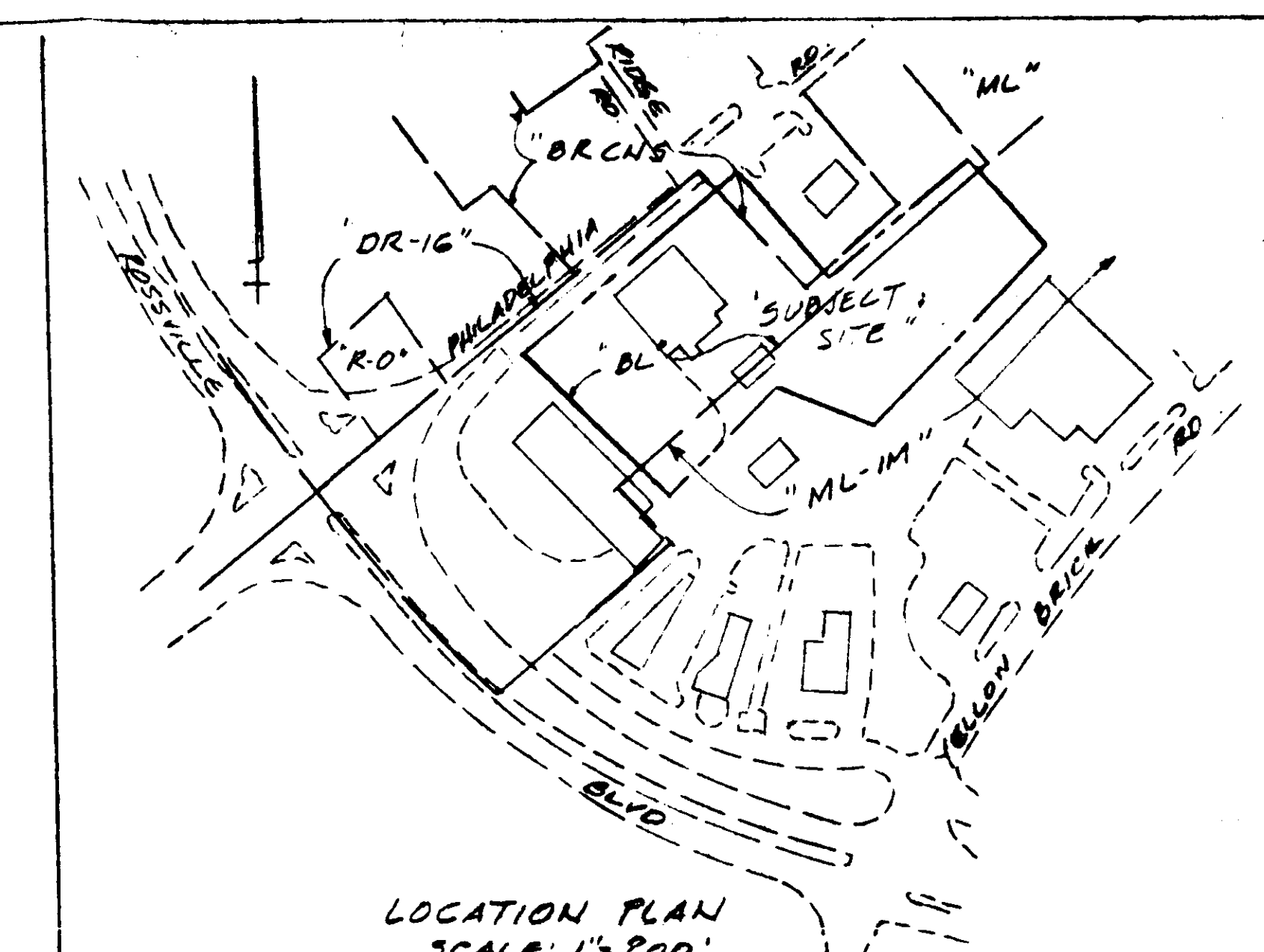
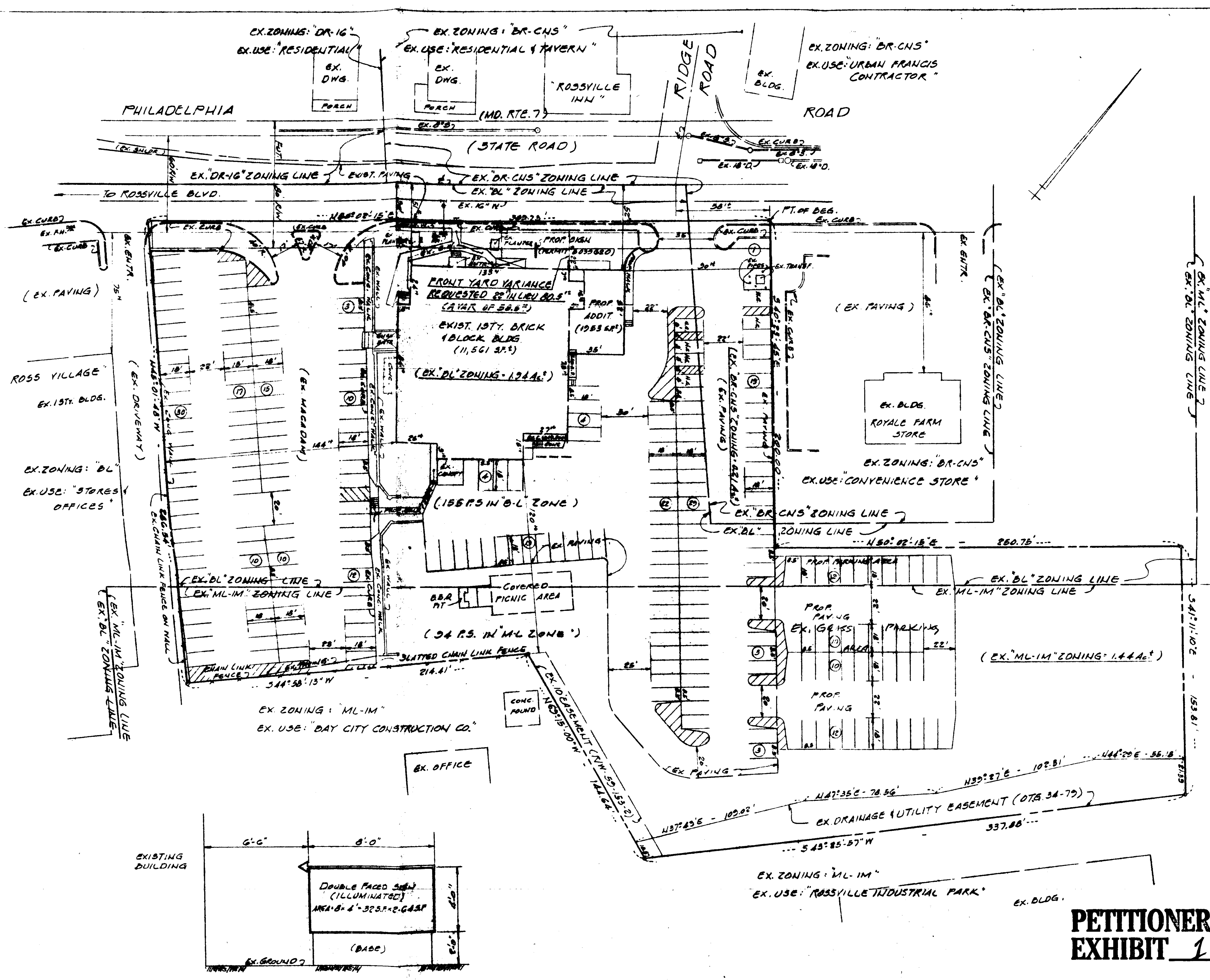
Sec. 1--Incorporation; Name.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons, to-wit: James E. VanZant, Altoona, Pennsylvania; Bernard W. Kormay, Gloversville, New York; Scott P. Smyers, Oklahoma City, Oklahoma; Robert B. Hancy, Junior, Kansas City, Missouri; Henry F. Marquard, Chicago, Illinois; William E. Guthner, Denver, Colorado; Edward J. Neron, Sacramento, California; Joseph C. Menendez, New Orleans, Louisiana; Paul L. Foule, Altoona, Pennsylvania; Robert E. Kerndt, Kansas City, Missouri; Walter I. Joyce, New York City, New York; George A. Iig, Cranston, Rhode Island; James F. Daley, Hartford, Connecticut; Charles R. Haley, Pittsburgh, Pennsylvania; F.C. Overicks, Clarksburg, West Virginia; John J. Skilman, Miami, Florida; Elsie H. Schill, New Orleans, Louisiana; Gerald C. Mathis, Lagrange, Indiana; James W. Starner, Effingham, Illinois; Leon S. Pickens, Wichita, Kansas; Archie W. Nimers, Minneapolis, Minnesota; Harvey W. Snyder, Denver, Colorado; Charles O. Carlton, San Francisco, California; Walter L. Daniels, Seattle, Washington; John E. Swain, Tulsa, Oklahoma; Peter J. Rosch, Washington, District of Columbia; and their successors, who are, or who may become, members of the Veterans of Foreign Wars of the United States, a national association of men who as soldiers, sailors, marines and airmen have served this Nation in wars, campaigns, and expeditions on foreign soil or in hostile waters, and such national association, are hereby created and declared a body corporate, known as the Veterans of Foreign Wars of the United States.

Sec. 2--Completion of Organization.

That the said persons named in Section 1, or their successors, and such other persons as are duly accredited delegates from any local Post or State Department of the existing national association known as the Veterans of Foreign Wars of the United States, under its constitution and by-laws, are hereby authorized to meet and to complete the organization of said corporation, by the adoption of a constitution and by-laws, the election of officers, and to do all other things necessary to carry into effect and incidental to, the provisions of this Act.



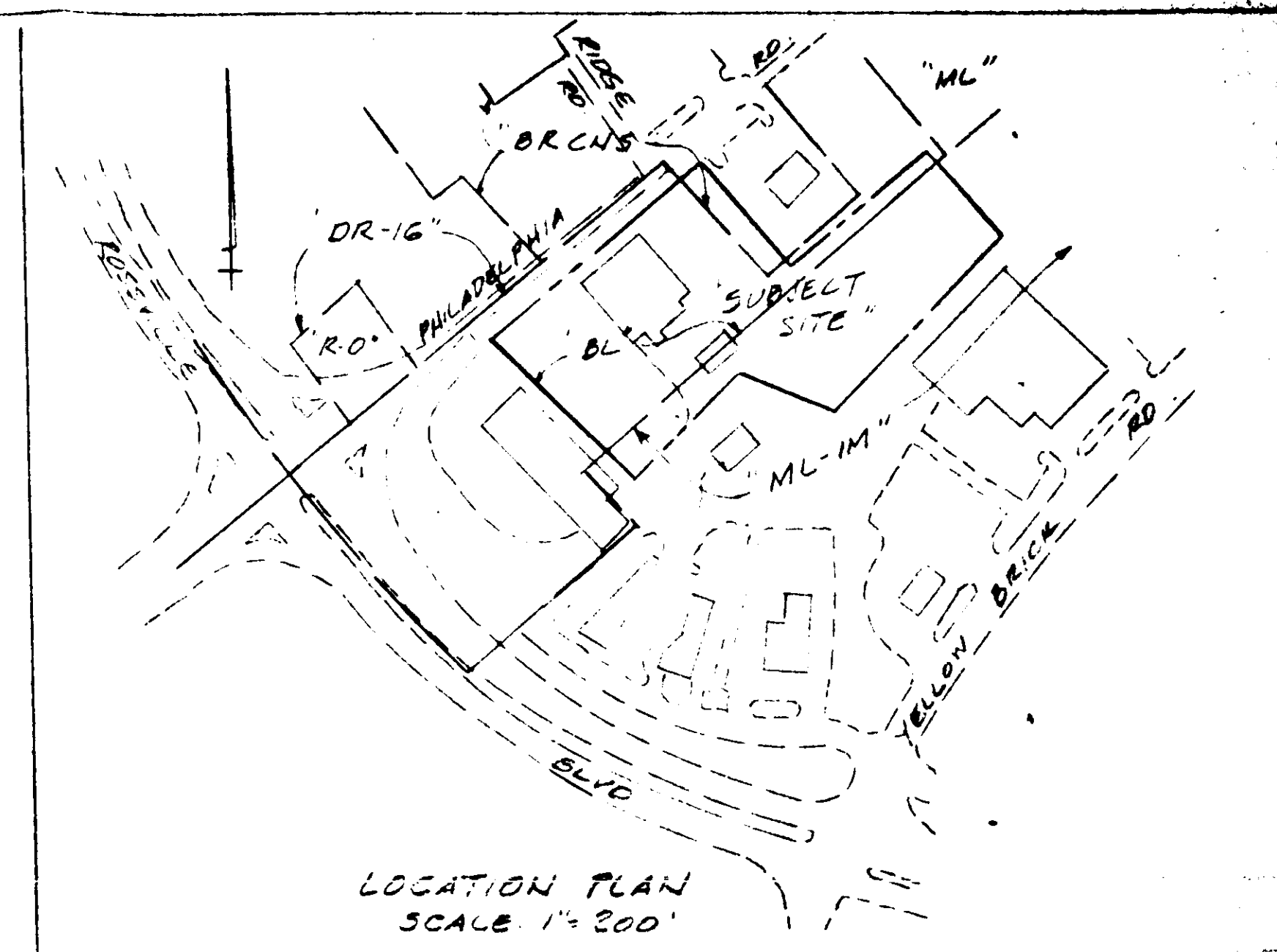
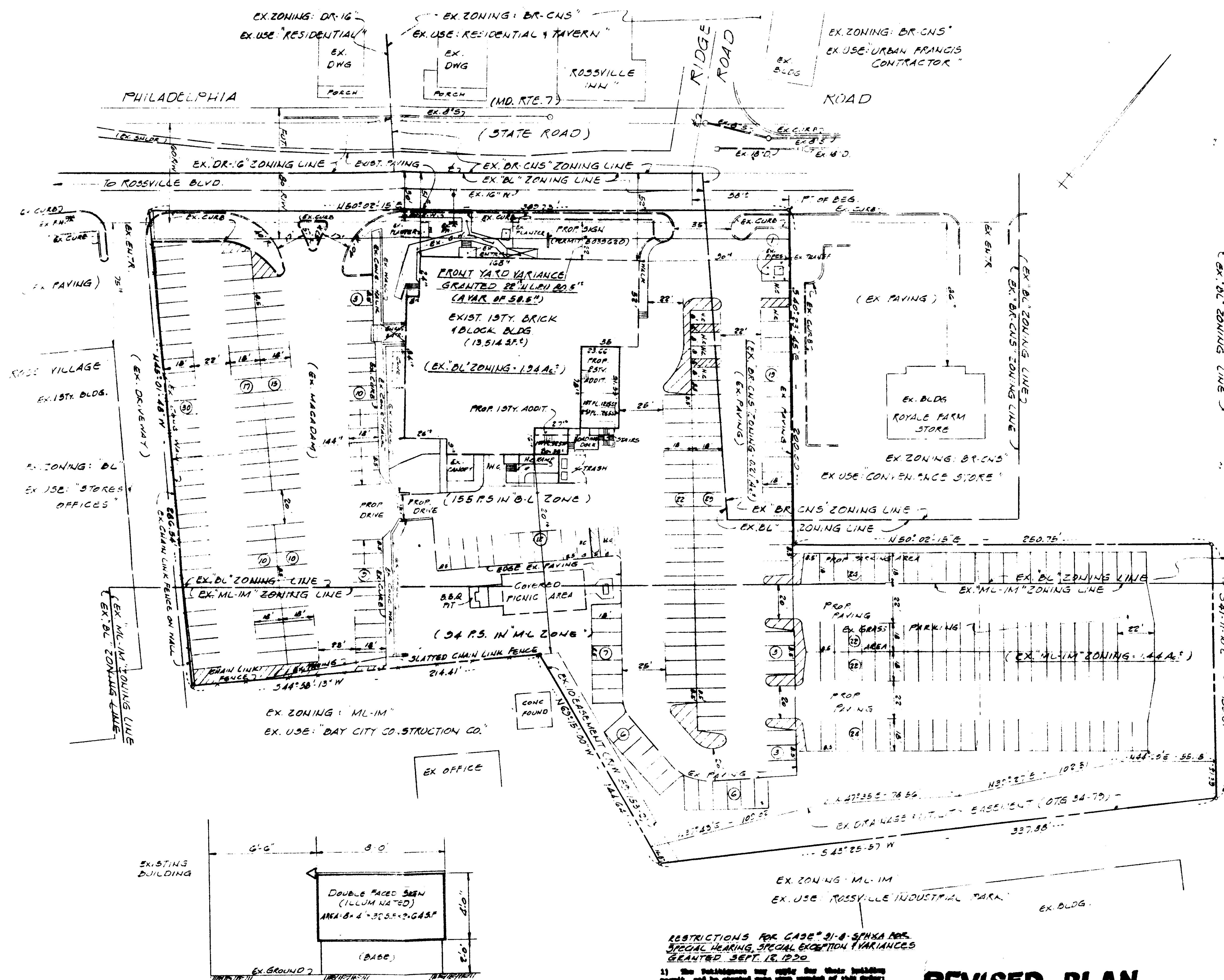


- GENERAL NOTES**
1. AREA OF SITE: 156,442 S.F. (3.59 AC.)
 2. EXISTING ZONING OF SITE: "BR-CNS, BL & ML-IM"
 3. EXISTING USE OF SITE: "CHARLES EVERING POST-6506" (K.F.W.)
 4. PROPOSED ZONING OF SITE: "BR-CNS, BL & ML-IM, W/SPG. EXCEPT."
 5. PROPOSED USE OF SITE: "CHARLES EVERING POST-6506" (K.F.W.)
 6. OFF STREET PARKING REQ'D:
 - A. EXISTING 1STY. BUILDING:
 - PUBLIC HALL: 7297 @ 20/1000 = 145.94 P.S.
 - BAR & LOUNGE & STORAGE: 2024 @ 20/1000 = 50.72 P.S.
 - OFFICE & STORAGE: 1,063 @ 250/1322 @ 20/1000 = 4.36 P.S.
 - TOTAL: 202.02 P.S.
 - B. PROPOSED ADDITION:
 - BAR & LOUNGE: 1953 S.F. @ 20/1000 = 33.06 P.S.
 - TOTAL PARKING REQ'D: 209.02 + 33.06 = 242.08 P.S.
 - C. ALTERNATE PARKING CALCULATION: SINGLENESS OF USE
 - EXIST. 11,555 @ 20/1000 + PROP. 1953 @ 20/1000 = 270.2 P.S.
 - D. TOTAL PARKING PROPOSED: BL & BR ZONE: 135, ML: 94 = 249 P.S.
 7. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT AN EXISTING COMMUNITY BUILDING FOR CIVIL, SOCIAL, RECREATIONAL AND EDUCATIONAL ACTIVITIES IN A "BL" ZONE. (PERMITS FOR PROP. ADOT. 1/19/64 GRANTED. 0039620)
 8. PETITIONER REQUESTING A SPECIAL HEARING TO CLARIFY THAT EXISTING & PROPOSED PARKING AREAS LOCATED IN THE "ML-IM" ZONE WHICH SERVES EXIST. K.F.W. BUILDING IS PERMITTED, ALSO TO DETERMINE THAT PARKING MAY BE CALCULATED SEPARATELY FOR OFFICE, STORAGE AREAS & COMMUNITY BUILDING WITHIN ONE TENANT USE BUILDING IN LIEU OF THE REQ'D. SINGLENESS OF USE PARKING REQUIREMENTS PURSUANT TO SECTION 403.6.A.
 9. PETITIONER REQUESTING A VARIANCE TO SECT. 303.2 OF THE BC&C TO PERMIT AN EXISTING FRONT YARD SETBACK OF 22' IN LIEU OF REQ'D. 80.5' (LAYER OF ADJ. BLDGS. 86' & 75') A VARIANCE OF 58.5' AND AN ALTERNATE VARIANCE (SEE SPN) TO SECTION 403.6.A TO PERMIT 249 P.S. (INCL. 4-5 ZONED PROPERTY OR 55 P.S. IN THE "BL" ZONED AREA EITHER IN LIEU OF THE REQ'D. 271 P.S. (A VAR. OF 34 P.S. IN "BL" ZONING AND A VARIANCE OF 22 P.S. IF PARKING IN "ML" ZONE IS PERMITTED)
 10. ALL NEW PARKING, MANEUVERING AND AISLE AREA WILL BE MACADAM PAVING AND PERMANENTLY STRIPPED.
 11. ORIGINAL BUILDING SERVED AS A SCHOOLHOUSE AND WAS PURCHASED BY THE POST & BECAME THE ORIGINAL POST HOME IN 1946.
 12. PROPERTY SERVED BY PUBLIC UTILITIES
 13. 3.H.A. WILL NOT TAKE WIDENING AT THIS TIME.

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION, SPECIAL HEARING
& VARIANCE
412
 "8777 PHILADELPHIA ROAD (RTE. 7)
 CHARLES EVERING POST-6506
 15TH ELECT. DIST. BALTIMORE COUNTY, MD.
 SCALE: 1"=30' APRIL 30, 1990
91-8-SPHXA
 PAUL LEE ENGINEERING, INC.
 304 W. PENNSYLVANIA AVENUE
 TOWSON, MARYLAND 21204

**PETITIONER'S
 EXHIBIT 1**





GENERAL NOTES

1. AREA OF SITE: 156,442 S.F. (3.59 AC.)
2. EXISTING ZONING OF SITE: BR-CNS, BL-1 ML-IM W/SPC, EXCEPT.
3. EXISTING USE OF SITE: CHARLES EVERING POST-6506 (KRM)
4. OFF-STREET PARKING REQUIRED:
 - A. EXISTING 1STY. BUILDING:
 - PUBLIC HALL = 7207 S.F. @ 201/1000 = 145.04 P.S.
 - BAR & LOUNGE & STORAGE = 4,887 S.F. @ 201/1000 = 97.78 P.S.
 - OFFICE & STORAGE = 1,378 S.F. @ 201/1000 = 26.44 P.S.
 - B. PROPOSED ADDITION: OFFICE & STORAGE
 - 1ST FLOOR = 1540 S.F. @ 201/1000 = 30.8 P.S.
 - 2ND FLOOR = 1265 S.F. @ 201/1000 = 25.3 P.S. (TOTAL = 56.1 P.S.)
5. ALTERNATE PARKING CALCULATION - SINGLENESS OF USE:
 - 11,555 (BAR BLDG) @ 201/1000 = 270.2 - 271 P.S.
 - (VARIANCE FOR 22 P.S. (271 P.S. - 249 P.S. GRANTED CASE #91-8-SPHXA)
 - D.H.S. PARKING SPACES REQUIRED: 327-22 = 305 P.S. PARKING SPACES SHOWN: 305 P.S.
6. PETITIONER GRANTED A SPECIAL EXCEPTION TO PERMIT AN EXISTING COMMUNITY BUILDING FOR CIVIL, SOCIAL, RECREATIONAL AND EDUCATIONAL ACTIVITIES IN A BL ZONE. (PERMITS FOR PROP. ADDITION GRANTED: 0830620, CASE #91-8-SPHXA (SEPT. 12, 1990))
7. PETITIONER GRANTED A SPECIAL HEARING TO CLARIFY THAT EXISTING & PROPOSED PARKING AREAS LOCATED IN THE ML-IM ZONE WHICH SERVES EXIST. KRM BUILDING IS PERMITTED
8. PETITIONER DENIED RIGHT TO CALCULATED PARKING SEPARATELY BY USE WITHIN ONE TENANT USE BUILDING IN LIEU OF THE REQUIRED SINGLENESS OF USE PARKING REQUIREMENTS PURSUANT TO SECT. 402.6.A.
9. PETITIONER GRANTED A VARIANCE TO SECT. 303.2 OF THE BCZ TO PERMIT AN EXISTING FRONT YARD SETBACK OF 22' IN LIEU OF REQ'D 80.5' (AVER. OF ADJ. BLDGS. 86' & 75') A VARIANCE OF 58.5' AND AN ALTERNATE VARIANCE (SEE SPN) TO SECTION 402.6.A TO PERMIT 249 P.S. (INCL. ML ZONED PROPERTY OR 155 P.S. IN THE BL ZONED AREA EITHER IN LIEU OF THE REQ'D 271 P.S. (AVER. OF 34 P.S. IN BL ZONING AND A VARIANCE OF 22 P.S. IF PARKING IN ML ZONE IS PERMITTED CASE #91-8-SPHXA)
10. PROPOSED ADDITION (1005 S.F.) REPRESENTS 247% (249/100) OF EX. BLDG (8,542 S.F.)
11. ORIGINAL BUILDING SERVED AS A SCHOOL HOUSE AND WAS PURCHASED BY THE POST & BECAME THE ORIGINAL POST HOME IN 1946
12. PROPERTY SERVED BY PUBLIC UTILITIES
13. SHA WILL NOT TAKE WIDENING AT THIS TIME
14. ALL NEW PARKING, MANEUVERING AND AISLE AREA WILL BE MACADAM PAVING AND PERMANENTLY STRIPPED

SITE PLAN

*8777 PHILADELPHIA ROAD (RTE. 7)
CHARLES EVERING POST-6506

15TH ELEC. DIST.

BALTIMORE COUNTY, MD.

SCALE: 1"=30'

JULY 18, 1991

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



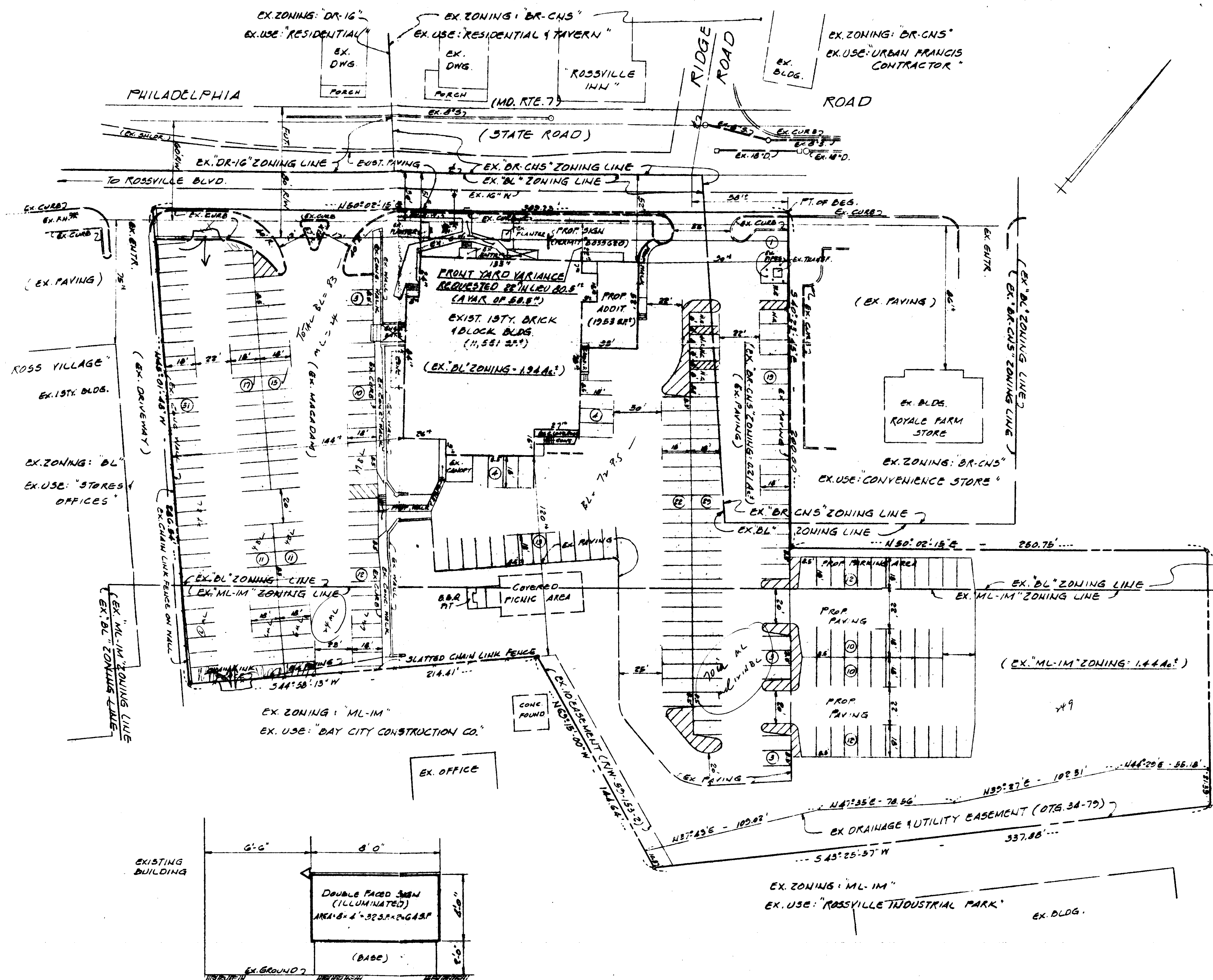
REVISED PLAN
APPROVED IN ACCORDANCE
WITH ZONING CASE # 91-8-SPHXA

ARNOLD JABLON - DIRECTOR ZADM, DATE 8/11/91

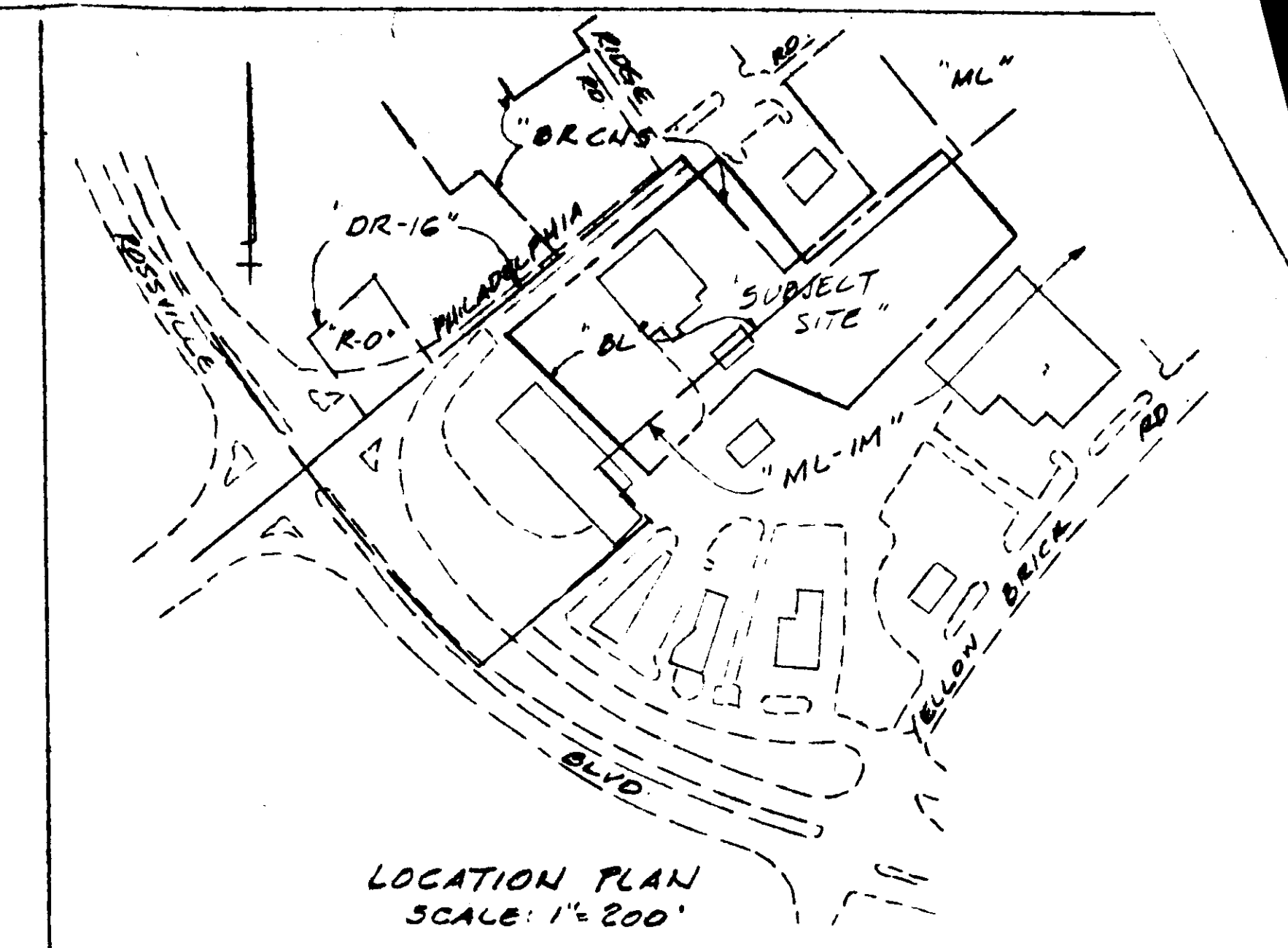
RESTRICTIONS FOR CASE #91-8-SPHXA RES.
SPECIAL HEARING, SPECIAL EXCEPTION VARIANCES
GRANTED SEPT. 12, 1990

- 1) The Petitioner may apply for their building permit and be granted same upon receipt of this order; however, Petitioner can hereby make aware that proceeding at this time is at their own risk until such time as the 30-day application process from this order expires. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The parking variance granted herein is limited to the existing community building and proposed addition but shall not be used in Petitioner's Exhibit 1. In the event any future expansion of the current use is proposed, the Petitioner will be required to provide the required number of parking spaces in accordance with the zoning regulations in effect at that time; however, the parking variance granted herein may be used to calculate the required parking for any future expansion as it applies to the current use and facilities.

PROPOSED SIGN PERMIT #0030620
SCALE: 1"=5'0"



PROPOSED SIGN: PERMIT 2039620
SCALE: 1"=3'-0"



GENERAL NOTES

1. AREA OF SITE: 156,442 S.F. (3.59 AC.)
2. EXISTING ZONING OF SITE: BR-CNS, BL & ML-1M
3. EXISTING USE OF SITE: CHARLES EVERING POST-6506 (Y.F.W.)
4. PROPOSED ZONING OF SITE: BR-CNS, BL & ML-1M W/ SPEC. EXCEPT.
5. PROPOSED USE OF SITE: CHARLES EVERING POST-6506 (Y.F.W.)
6. OFF STREET PARKING REQ'D:
 - A. EXISTING 1STY. BUILDING:
 - PUBLIC HALL: 7,207 @ 20/1,000 = 145.94 P.S.
 - BAR & LOUNGE & STORAGE: 2,024 @ 20/1,000 = 58.72 P.S.
 - OFFICE & STORAGE: 1,063 @ 250/1,322 @ 3.3/1,000 = 4.36 P.S.
 - Altitude Parking Calculation: 11,555/24/1,000 = 231.1 [232] Single Use
 - B. PROPOSED ADDITION: 1,953 S.F. @ 20/1,000 = 39.06
 - C. TOTAL PARKING REQ'D: 209.02 + 39.06 = 248.08 = 249 P.S.
 - D. TOTAL PARKING PROP. (EX. PARKING TO BE RESTRIPTED) = 230 P.S. (INCL. 7 HRS)
7. PROPERTY SERVED BY PUBLIC UTILITIES
8. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT AN EXISTING COMMUNITY BUILDING FOR CIVIC, SOCIAL, RECREATIONAL, AND EDUCATIONAL ACTIVITIES IN A BL ZONE.
9. PERMIT FOR PROPOSED ADDITION GRANTED (B 039660)
10. ORIGINAL BUILDING SERVED AS A SCHOOL HOUSE AND WAS PURCHASED BY THE POST & BECAME THE ORIGINAL POST HOME IN 1946.
11. PETITIONER REQUESTING A SPECIAL HEARING TO CLARIFY THAT EXISTING & PROPOSED PARKING AREAS LOCATED IN THE ML-1M ZONE WHICH SERVES EXIST. Y.F.W. BUILDING IS PERMITTED.
12. PETITIONER REQUESTING A VARIANCE TO SECT 303.2 OF THE BCZR TO PERMIT AN EXISTING FRONT YARD SETBACK OF 22' IN LIEU OF REQ'D 80.5' (AVER. OF ADJACENT BLDGS. 86' & 75') A YARD OF 58.5' AND AN ALTITUDE VARIANCE (SEE SP4) TO SECTION 409.6.A TO PERMIT 250 (INCLUDING ML AND PARKING) OR spaces in the BL zone area either in lieu of the required 250 spaces.

PLAT TO ACCOMPANY PETITION * Confirms St. Hwy will not take without out permit time

SPECIAL EXCEPTION SPECIAL HEARING & VARIANCE

8777 PHILADELPHIA ROAD 91-8-SPHX
CHARLES EVERING POST-6506

15TH ELECT. DIST. BALTIMORE COUNTY, MD. 412
SCALE: 1"=30' APRIL 5, 1990

Also to determine that parking may be calculated separately for office and storage areas within one building and community building with one tenant one building in lieu of the required "single use of use" parking requirements pursuant to section 409.6.A.

OLD CHECK PRINT

PAUL REE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



Park & Ride Spaces - Deal End Autos?